IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24690 of 2004

Between:

Sri Sairam College of Education, Managed by Rural Education Development Organization, rep by its Principal P. Subramanyam, S/o. P. Nagappa, aged 39 years, Rampuram West, Hanumampalle,
Penukonda Mandal, Anantapur District.

..... PETITIONER

AND

1 The Regional Director, The Southern Regional Committee, NCTE

(National Council for Teacher Education), Bangalore.
2 The Member Secretary, NCTE, Indiragandhi Indore Stadium, No. 16,

Indraprastha Estate, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction especially one in the nature of the Writ of Certiorari calling for all the connected records including the impugned proceedings of the second respondent dated 13-10-2004 and quash the same as illegal, improper, unjust, arbitrary and contrary to law and further to direct the second respondent to re-consider the representation/Review petition dt. 23-12-2004 forthwith by according permission for the additional intake of 40 seats in BE d Course for the academic year 2004-2005 which will be commenced from March 2005.

Counsel for the Petitioner: MR.MAHADEVA KANTHRIGALA

Counsel for the Respondents: MR.B.ADINARAYANA RAO (SC FOR N.C.T.E)

The Court, at the admission stage, made the following:

ORDER:

The present writ petition is filed seeking to call for the connected records including the impugned proceedings of the second respondent dated 13.10.2004 and quash the same as illegal and arbitrary and further to direct the second respondent to re-consider the representation/Review petition dated 23.12.2004 filed by the petitioner-College forthwith by according permission for the additional intake of 40 seats in B.Ed Course for the academic year 2004-2005 which will be commenced from March 2005.

The case of the petitioner-College, in brief, is that it made an application to the first respondent on 31.12.2002 seeking enhancement of intake capacity of students from 120 to 160 for the academic year
2003-2004 in B.Ed Course. It is stated that the first respondent passed an order dated 22.06.2004 refusing permission for additional intake on the ground that the institution has not provided adequate facilities as required under the norms and standards for B.Ed Course. That against the said orders, the petitioner filed an appeal before the 2nd respondent, which was rejected by order dated 13.10.2004 on the ground that the institution was not able to produce the approved staff list by the affiliating University and the documents shown to the council were proved to be unsatisfactory. The grievance of the petitioner is that again it made a representation, dated 23.12.2004 in the form of a review requesting the 2nd respondent to re-consider his earlier decision dated 13.10.2004 in view of the subsequent orders issued by the affiliating University approving the staff, but the 2nd respondent has not passed any orders thereon so far. Hence the present writ petition came to be filed.

Heard the learned counsel for petitioner and learned Standing Counsel for the respondents.

As can be seen from the writ averments, it is clear that the petitioner without waiting for passing of final orders by the 2nd respondent on his representation/review petition dated 23.12.2004, has approached this Court within a week period by filing the present writ petition. Therefore, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following observation:

The respondents shall consider and dispose of the review petition in accordance with law, if any pending. No costs.

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(N.V. RAMANA, J)

Date: 30.12.2004

Nsr/Tvk

.... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Regional Director, The Southern Regional Committee, NCTE

(National Council for Teacher Education), Bangalore.
2 The Member Secretary, NCTE, Indiragandhi Indore Stadium, No. 16,

Indraprastha Estate, New Delhi.

3 Two CD copies.